



NORTH SHORE NEIGHBORHOOD BOARD NO. 27

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REGULAR MEETING MINUTES TUESDAY, MARCH 28, 2006 JOHN KALILI SURF CENTER

CALL TO ORDER BY CHAIR: Chair Kathleen Pahinui called the meeting to order at 7 p.m.; a quorum was not present with seven (7) members.

MEMBERS PRESENT: Lloyd O'Sullivan, Kathleen Pahinui, Alfredo Antonio, John Hirota, Ollie Lunasco, Jake Ng, Jimmy Awai, Bob Leinau, Blake McElheny, Mike Lyons.

MEMBERS ABSENT: Dan Gora, Carol Philips, Warren Scoville, Gerri Meade, Antya Miller.

GUESTS: Robert Bailey (Videographer), Dave Druz (A Charitable Foundation), Lt. Steven Nishihara and Lt. Douglas Beerman (Honolulu Police Department), George Cox (Turtle Bay Employees), Gilbert Estores, Katherine Folasca and Reed Matsuura (Councilmember Dela Cruz Office staff), K.B. Van Der Leeden (HESD / OSD), Stew Ring (Mokuleia Community Association), Meryl Andersen, Jeff Alameida (Wailua Community Association), Debbie and Steven Graves, John Dowd (Turtle Bay Golf), Kendra Martyn, Ron Nishihara (Castle & Cooke), Thomas Shirai, Kalani Fronda (Kamehameha Schools), Carolyn Sanderson, Rex Dubiel (NSOC / SBES / Representative Magaoay), Mark Manley (Defend Oahu Coalition), Diane Anderson, Nancy John (North Shore Outdoor Circle), Maxi Moto, Gil Riviere (NSNB – TTC), Judy Fomin and Dede Ahlo (Representative Magaoay's Office staff), George Kuo (Board of Water Supply), Luann Casey, Bruce Bellows, Joan Gossett, Brigadier General Gary Ishikawa (Governor's Representative), Maj. Greg Baker and Maj. Hugley (25th Infantry), Marie Richardson (Neighborhood Commission Office staff).

The agenda was taken out of order to Reports from Honolulu Police and Fire Departments; lack of quorum.

REPORTS FROM HONOLULU POLICE AND FIRE DEPARTMENTS:

Honolulu Police Department (HPD) – Lt. Steven Nishihara introduced Lt. Doug Beerman, who will be coming to the Board over the next three months. Lt. Beerman, a long time resident of the North Shore, reported the monthly statistics: 7 burglaries, 57 unauthorized entries to motor vehicle (UEMV), 25 property thefts and 9 auto thefts.

Highlights included: a) an incident, March 5, involving a stolen blue Dodge pickup truck with a broken rear window and a jet ski in the back. The suspect was arrested for dangerous drugs, drug paraphernalia and other stolen property was recovered. b) Lt. Beerman thanked everyone involved with getting the ATV/trailer for the beach patrols.

Antonio, Leinau and Hirota arrived during the above portion of the meeting (10 members present).

APPROVAL OF MINUTES FOR THE FEBRUARY 28, 2006 REGULAR MEETING: Leinau moved, Awai seconded to approve the February 28, 2006 Regular Meeting Minutes as circulated. The motion carried by unanimous consent.

TREASURER'S REPORT: Awai reported for February 2006: 1) Operating Account balance was \$805.72. Current expenses were \$45.55, leaving a balance to-date of \$760.17. 2) Publicity Account balance \$1,451.00. Current expenses were \$300.00, leaving a balance to-date of \$1,001.00. 3) Refreshment Account reflected no account activity, leaving the balance to-date at \$120.00. **Hirota moved, Awai seconded to accept the Treasurer's Report, subject to audit. The motion carried by unanimous consent.**

The agenda resumed order.

Honolulu Fire Department (HFD) – HFD was out on a call; the report was later dropped off.



U.S. ARMY 25TH INFANTRY DIVISION: Maj. Greg Baker reported on: 1) the suspension of MAST (military assistance to safety and traffic) program on April 1. On April 3, the MAST unit will be recognized for their 31 years of service to the State of Hawaii. 2) Maj. Hugley will be Maj. Baker's alternate, in his absence. 3) Contact Bill Roome at 655-0760 with any comments or concerns.

Questions followed:

1. Leinau suggested the designers doing Drum Road take a look at how the weather may have affected the road.
2. Ng commented on the significance of the MAST program because the North Shore is geographically isolated. He also noted for information that Senator Sakamoto is discussing the possibility of the U.S. Coast Guard taking on the MAST mission; however, the Coast Guard has indicated it is not within their mission to do so, but agreed to look at it on a case-by-case basis, along with the Hawaii Ambulance Service. Maj. Baker said there is still an agreement in place with the State to continue participation in those missions while here.

RESIDENTS' CONCERNS:

1. George Cox, Pupukea resident and Turtle Bay Resort employee for 23 years, shared concern that the hotel is old and the sewer pipes are leaking and yet nothing has been done until now to fix the problem. He wanted to bring it to everyone's attention the impact this development will have on the current infrastructure of the North Shore.

Comments followed: **1)** Leinau would like some clarity on the Board's involvement and what they can and cannot do. Pahinui will explain when the agenda item (10B) comes up. **2)** John Dowd with Turtle Bay Resort (TBR) responded that the problem with the leaking sewer pipe is being resolved. Pahinui called for order and asked Dowd to present his information to the Board. Dowd explained that TBR gave an updated presentation of the original master plan of the future development on March 2 at the Kahuku Community Association; and were scheduled to present the same plan on March 9 to the Koolauloa Neighborhood Board (KNB); but due to inclement weather, that meeting was cancelled and is now scheduled for April 13, 7 p.m. at the Hauula Community Center. It was also TBR's intent to make this presentation to the Sunset Beach Community Association on March 22, however, the KNB meeting was rescheduled; and because the project is within that district, it was only proper for the project be presented there first. Since, the next Sunset Beach Community Association (SBCA) meeting is not until May; the presentation to the North Shore Neighborhood Board (NSNB) would not be ideal until May. Pahinui said it would be discussed under agenda 10B – SCR 131, Turtle Bay Expansion. **3)** McElheny would be interested in any information or data relating to the number of Turtle Bay employees that come from the Kahuku area verses those toward the Sunset / Waialua area. Dowd said data is available but not on hand tonight. This matter caught McElheny's attention because the Kahuku Community Association had the opportunity to comment early on, however, a number of employees come from the Sunset community and beyond; and his understanding was that the SBCA made a lot of effort to get try and get information with no success. Chair Pahinui, once again, called the discussion to a halt for later discussion under 10b and resumed order of the agenda.

2. Meryl Andersen received a letter from Councilmember Dela Cruz that the charcoal bins and trimming the trees in the park would be taken cared of; but so far, she hasn't received any word although she noticed the trees have been trimmed. Matsuura is awaiting a response and would get back to Andersen.
3. Ron Nishihara with Castle & Cooke updated a project at the beach cottages in Mokuleia. He said a neighbor had cut down some trees and noticed bad termite and / or age damage, similar to the ironwood trees at Kaiaka Bay Park. Due to safety concerns, Castle & Cooke hired an arborist to inspect the badly termite / aged damaged trees, and in a couple weeks, will take down some of the trees. Castle & Cooke wants to avoid any accidents. The North Shore Outdoor Circle has been part of this inspection process.
4. Thomas Shirai raised several concerns: a) about the North Shore Board meeting airtimes on Olelo. Pahinui announced Rob Bailey, videographer, would be making an announcement shortly. b) About a letter to support for Senate Concurrent Resolution 9, relating to cultural perpetuation in rural Hawaiian communities,

would include the Waialua district and heard tomorrow at 9 a.m.; introduced by Senator Bunda. c) On Friday, March 31, the Ways and Means Committee will be making a decision regarding the Waimea Valley acquisition at 9 a.m.; no testimony will be accepted; d) Wednesday, March 29, HB 2133, relating to the Kaena Point NARS (Natural Area Reserve System); and e) SCR9 will be heard by Senator Hanabusa's Judiciary Committee at 9 a.m. **O'Sullivan moved, Lunasco seconded to add to the agenda – a letter of support for SCR 9, under New Business. The motion carried by unanimous consent.**

5. Diane Anderson was asked, in Board member Scoville's absence, to express a concern regarding topsoil flowing into the ocean in the Laniakea area from the unplanted acreage just on the top of the rise. Several calls were made to Kalani Fronda at Kamehameha Schools and so far, no response has been received. Anderson said it's a little late at this point with all the rain but this really needs careful review because bare topsoil is running off into the ocean from Laniakea to Haleiwa. Fronda responded receiving the call from Warren Scoville and they are taking a look into the concern. The agricultural operations there are complying with USDA regulations with what's required for crop rotation; and they are actively managing the area and are still trying to find the location of the source of the runoff.
6. Rex Dubiel, representing the North Shore Outdoor Circle (NSOC), said a Charter was signed (by NSOC) 11 years ago, committing to landscape and care for the Ke Ala Pupukea bike path for five years; and the City, thereafter, was to assume the responsibility. It is now going on six years and the City has yet to assume any responsibility. She is requesting a letter of support for a maintenance contract or for the City to assume its responsibility. **Leinau moved, Hirota seconded to add to the agenda – a letter of support for Ke Ala Pupukea Bike Path, under New Business. The motion carried by unanimous consent.**
7. Kendra Martyn announced members of Moku o Waialua Watershed Action Group, Inc. and Save the Sea Turtles, International will sponsor "Celebrate Earth Day" at 8 a.m. on Friday and Saturday, April 22 and 23. The organizations are looking for manpower and equipment to help clean up Pu'uiki Point. For more information contact Kendra Martyn at 637-1986; flyers were available at the sign-in table. Lunasco said that area is a haven for drug users.
8. Stew Ring with the Mokuleia Community Association: a) commended Castle & Cooke for their efforts to remove the diseased trees at the beach cottages. b) At the Feb 28 Board meeting, the Mayor's representative reported on the health concerns with fleas and mites at Mokuleia Beach Park; and that the Department of Parks and Recreation (DPR) would be ground treating the entire lawn. He received a number of calls from Mokuleia residents suggesting that the Mayor close down Mokuleia Beach Park from 10 p.m. to 5 a.m.; and to clean out the park of feral chickens, mites, fleas, and lice, etc.
9. McElheny conveyed information regarding Turtle Bay Resort he received. The Sunset Beach Community Association made an extensive effort to get TBR to make a presentation; and was surprised that TBR didn't make an effort themselves. Expressed by residents that given the proximity of the planned expansion and the large number of people who work there from the Sunset (North Shore) area, it would be considerate, since this is an issue affecting the community; and because many visitors would have to drive directly through this community to get to the proposed expansion, it would greatly impact the already heavy traffic that's been talked about and ongoing in this community.
10. Lyons said doing a study to find where the source of the Laniakea / Haleiwa runoff is coming from could take years, but he asked Fronda when can the Board expect an answer. Fronda said many of these practices are based on USDA requirements and NRCS (Natural Resource Conservation Service) regulation for farmers. Lyons asked Fronda to look into whether there is any change in the topography; the request was acknowledged. Chair Pahinui asked that the information be emailed to her for dissemination to Board members and Diane Anderson. Fronda also added there are three major project areas (Maui, South Molokai and the North Shore) the EPA is looking at the effects of siltation flows into reef areas. Leinau agreed the Department of Agriculture, NRCS and the West Oahu Soil Conservation Service is the policing agency.
11. Ng commended Fronda of Kamehameha Schools (KS) for action taken to remediate the flood situation on Haleiwa Rd., but after two years of effort it's still not corrected. The main problem is "Pake Ditch", which has flooded three times in a week and a half; and he further feels that the landowners, Castle & Cooke and

Dole have been totally neglectful maintaining the ditch, so he would like to know the latest status of the flood control. Fronda said KS has been making attempts but due to all the rain, the operator is not likely to continue the attempts on heavily saturated grounds.

12. Chair Pahinui introduced Olelo videographer, Rob Bailey, and specifically thanked Dubiel for introducing Bailey to the Board. Scheduled times are: Sunday, April 23 at 9 a.m.; Friday, April 28 at 3 p.m.; Monday, May 1 at 3 p.m.; and Friday, May 5 at 8 a.m. A more permanent schedule is coming and apologies were conveyed for the inconvenience.

TRAFFIC AND TRANSPORTATION COMMITTEE (TTC): Gil Riviere presented two recommendations: a) Kamehameha Highway should never be expanded to four lanes and it should remain a scenic and coastal highway, as current; and b) that the Board oppose the traffic signal at Kamehameha Highway and Haleiwa Beach Road (corner of Haleiwa Joe's). However, the committee didn't take a specific position on the traffic signal at Waialua Beach Road and Goodale Avenue. 2) The next Traffic and Transportation Committee meeting is on (second Wednesday of each month), April 12, 2006, 7 p.m. at the Waialua Community Association (the cottage behind).

Questions, comments and concerns followed:

1. Leinau: a) asked is there a plan in place for **when** a rock fall at Waimea happens and not **if** it happens. There should at least be a plan to fund a rock fall remediation plan. b) Regarding traffic signals - engineers have a scientific approach; and although it's good getting community opinion, Leinau hopes the committee is also assessing the traffic engineer's rationale. Riviere responded: 1) great suggestion, the committee will follow up with the State Department of Transportation for a mitigating rock fall plan. 2) In regards to the traffic signals, Riviere did take the time to study the reports, the warrants (criteria) and even referred to the national guideline. There are eight conditions to consider and that should be met. The one condition in this specific study related only to the volume of traffic; neither intersection met any other of the national guidelines for the need to install a traffic signal. Based on this additional information, the committee recommended opposing the traffic signal at Kamehameha Highway and Haleiwa Road (Haleiwa Joe's). In a call to DOT, it was quite clear they haven't taken into consideration the impact Anahulu Bridge would have on any type of traffic remediation in this area.
2. Lunasco and Lyon both agreed with the committee's recommendations. **Lunasco moved, Lyons seconded to send a letter disputing the installation of traffic signals at either intersection.** Discussion followed: 1) O'Sullivan inquired whether the letter addresses both traffic signals; Pahinui agreed. 2) Ng asked if there is urgency, because of the lack of input by the residents in the Kukea Circle and Puuiki area and requested deferring the matter. 3) O'Sullivan agreed with Lunasco about Three Corners, but reserved his opinion of the Goodale Avenue and Waialua Beach Road traffic signal and offered an amendment, excluding that traffic signal. The amendment was not accepted. 4) Lyons sensed an urgency, since it's in the plan and approved. Riviere said the project is waiting for funding, but his opinion was the sooner a position is taken the better. 5) O'Sullivan continues to reserve his opinion. Chair Pahinui said the Board could take action regardless. **The motion failed, 7-2-1; due to the lack of eight votes required to pass the motion. Aye:** Pahinui, Hirota, Lunasco, Awai, Lyons, Leinau, McElheny. **Nay:** Antonio, Ng. **Abstain:** O'Sullivan.
3. McElheny entertained a motion to support the first recommendation. Riviere reiterated that the Traffic Committee recommended that the Kamehameha Highway should never be expanded to four lanes and it should remain a scenic and coastal two-lane highway. **Awai moved, Leinau seconded to add to the agenda the recommendation that the Kamehameha Highway never be expanded to four lanes and remain a scenic and coastal two-lane highway.** Comments followed: The letter would be addressed to the State Department of Transportation. The recommendation would include only the North Shore stretch of Kamehameha Highway. **The motion carried by unanimous consent.**

Chair Pahinui asked that the TTC revisit the traffic signal light issue again.

ELECTED OFFICIALS:

Congressman Ed Case – No representative present.

Mayor's Representative – Chair Pahinui excused Mayor's representative Remec, from attending due to inclement weather.

Board of Water Supply - George Kuo reported: 1) one main break in February at 66-545 Kamehameha Highway of a six inch cast iron main. 2) General Water Announcement: a) Annual Detect-A-Leak Week was observed last week. BWS is reminding consumers about the importance of leak detection and repair all year round. Check your house and toilets periodically for leaks.

Questions, comments and concerns followed:

1. Awai shared concern about the continuous repair efforts month after month on Awai Lane. Kuo was not sure and would need to check on it.
2. Ng said BWS has not completed patching the pothole fronting First Hawaiian Bank on Kamehameha Highway. Kuo will check on it. Lyons asked that a quality patch job be done.

Councilmember Donovan Dela Cruz – Reed Matsuura, assisted by Katharine Folas, distributed the monthly report and reported: **1)** adopted in full Council, Resolutions 06-032 and 06-033, relating to the plantation communities, trying to address an affordable housing solution. The next step is a proposed amendment to the Land Use Ordinance, followed by a review by Department of Planning and Permitting (DPP); and back to City Council with its recommendation. **2)** Real Property Tax Relief Proposals: Bill 66 – allows five year renewal periods, until 90, when it renews for life; Bill 80 – expands the availability of the county tax credits; Bill 12 – establishing tax rates; and Bill 1 – increasing regular home exemption to \$80,000; increases home exemptions for 75 – 79 to \$140,000; 80 – 84 to \$160,000; 85 – 89 to \$180,000; and age 90 and over to \$200,000. **3)** Kawela Bay – Resolution 06-075, urging DPP to enforce strict compliance with all applicable laws and unilateral agreement and special management area use permit/shoreline setback variance conditions prior to the issuance of any permits and approvals for the Turtle Bay Resort expansion project. On February 15, 2006 a lawsuit was filed – Local 5, Eric Gill and Todd A.K. Martin v. City and County of Honolulu and Kuilima Resort Company.

Responses to residents' concerns: **1)** Department of Transportation Services (DTS) is currently evaluating the "No Parking" request along Haleiwa Road fronting Kaiaka Bay Beach Park and the Haleiwa Baptist Church. **2)** Repair of two picnic tables to be addressed. **3)** The property owner has been cited for violations of "Pake Ditch." **4)** Ehukai Beach Park's new parking area will be paved on April 9, 2006. **5)** Discussion of Asset Management Review Team will be presented tomorrow at the Budget Committee meeting at 9 a.m. **6)** DPR and HPD is working together to plan the next sweep of Mokuleia Beach Park to rid the park of illegal campers; and looking at ways to get rid of feral chickens and fleas and mites. **7)** Status checks of Poamoho Trail with the Department of Land and Natural Resources (DLNR), since they were to build a fence prior to opening the trail. Shooting for a June 2006 opening of the trail in conjunction with the National Trail Day. **8)** The housing development in the vicinity of Thompson Corner was property bought and already subdivided into parcels. The owners of these parcels are doing active agriculture operations. **9)** Anahulu Bridge rehabilitation – removal of the deteriorated concrete, reinforcement, reconstruction and repairs areas, modifying existing railings and painting the structure; estimated completion date is June 2006. **10)** Traffic signal lights at intersection of Goodale Avenue / Waialua Beach Road and Haleiwa Road and Kamehameha Highway are not contained in the current budget nor in the upcoming FY 2007 Capital Improvement Budget Bill. The earliest this could possibly receive funding would be in the FY 2008 (July 1, 2007 to June 30, 2008).

Questions, comments and concerns followed:

1. Chair Pahinui requested bringing to the next meeting a listing (cheat sheet) of property tax credits so residents will know what they are and if they qualify.
2. Leinau commented on the thousands of dollars put in on the Ke Ala Pupukea bike path project and yet the City still fails to cooperate. The City should come all the way across and embrace the community. Matsuura was sympathetic and encouraged Dubiel's request in writing to the Mayor and Councilmember Dela Cruz can support and push for that item.

3. Lyons noticed much improvement at Kaiaka with the homeless; and was very appreciative and hopes it continues. He also suggested looking into unused warehouses for the homeless. Matsuura spoke with some of the homeless and agreed that it is a big problem, but many of them like being on the beach.
4. Ng asked if Castle & Cooke, former owner of the land, was cited regarding the illegal construction at "Pake Ditch." Matsuura said the new owner was cited. Ng heard rumors that the property across from Haleiwa Elementary School was sold down to the river and would like to know if it's true or not. Nishihara with Castle & Cooke was not certain and would have check and report back.
5. McElheny asked if Resolution 06-075 relating to Turtle Bay, been scheduled for reading. He heard that a decision would be made sometime at the end of April, and that the Councilmember did a good job capturing the concerns. Matsuura said the item was looked at today and tabled pending litigation, though comments were accepted, no discussion followed.

Governor's Representative - Brig. Gen. Gary Ishikawa distributed the Governor's Weekly Update, submitted responses to concerns he asked to be incorporated into the minutes, and highlighted: 1) the Department of Defense (DOD) has been extremely busy during these heavy rains. In a 48-hour period, Honolulu got more rain than Mt. Waialeale on Kauai (which gets the most rainfall in the world); just under 23-inches. DOD reacted in support of the City & County of Honolulu, along with Hawaii's National Guardsmen. Kaloko's Dam break drew the Governor, Senator Inouye and Senator Akaka to Kauai to meet with the U.S. Army Corp of Engineers, who checked every single dam (52) on Kauai. The Army Corps of Engineers has an emergency fund for dam safety and inspections, which will continue on the Big Island, Maui and Oahu. Passed out of the House, was a proposal of \$14.2 million, a down payment toward payment for this effort. In anticipation, the Governor was asked to extend the emergency proclamation Statewide until the end of April. This would DOD the authority to enter onto private property to inspect the dam safety and if the dam is a threat, the Adjutant General has the authority to take remedial action.

Responses to public concerns: **1) Crosswalk on Kamehameha Highway at Sunset Beach** – State Department of Transportation (SDOT) does not recommend installing a traffic signal due to volume counts that lacks the warrant (criteria) for the signal. These concerns were addressed in the past that a crosswalk would give pedestrians a false sense of security, especially in rural type settings. Also, in these rural type settings, it would be best to allow crossing via our State Traffic Code without crosswalks, thereby pedestrians will use more caution when crossing the highway. **2) Intersection Improvement at Kuilima (Turtle Bay)** – the traffic branch is aware of this issue because it came up when the intersection was identified as a high-accident location. However, we have found that the conditions in the land use / development process has no enforcement authority. However, discussions will be ongoing with our attorney. **3) Widening of Kamehameha Highway to four lanes** – We defer to planning. I understand that there is also a request for a bypass or realign in this area. Although these improvements are not in the Long Range Plan or six-year plan, its priority should be determined on a comparison with other improvements in our plans. **4) Rock fall mitigation plan** – A mitigation plan was discussed. The community suggested we move ahead with the complete stabilization of Kamehameha Highway at Waimea Bay. They suggested we purchase the right of way at the curve and trim back the slope adjacent to the highway. **5) Laniakea Realignment of Kamehameha Highway** – Director Haraga explained the process to realign the highway. They are now aware of the EA or EIS requirement and the lack of funding for the project. I also explained the cost implication of purchasing additional right of way for the realignment. The neighborhood board will be submitting its request to Oahu Metropolitan Planning Organization (OMPO) to add this project on the Oahu Regional Transportation Plan (ORTP).

Questions, comments and concerns followed:

1. Riviere said at the last Oahu Metropolitan Planning Organization (OMPO) meeting an amendment expressed displeasure with the realignment not being in the plan; but was also informed that there are other funding mechanisms therefore it comes to whether the DOT wants to build it.
2. Lunasco raised concerns: a) that originally there was a crosswalk above St. Michaels, however, on the mauka side near the junction on Goodale Avenue is where all the kids get off. Gen. Ishikawa will pass on the information. b) Who gets the monies from the bulk-recycling program? It was never really addressed but Ishikawa but will contact the Department of Health; also encouraged checking with elected officials.

State Senator Robert Bunda – Ng announced that the Senator sends his regrets. He's attending a community forum in Wahiawa, and his report is available.

State Representative Michael Magaoay – Judy Fomin introduced staff member, Deadra Ahlo, resident of Kahuku, distributed the monthly report, and will continue dialogue regarding Lunasco's concern. 1) Distributed was HCR146 – regarding the development expansion plan at Turtle Bay Resort, which is almost identical to the Senate Concurrent Resolution. 2) The House is going through the second pass over of bills and the Finance Committee will be hearing the bills on Thursday and Friday starting from 2 p.m. 3) In good positions are: a) HB 2187, making appropriations available to replace the U.S. Army's 68th Medical Company's MAST; and b) HB 2400, emergency appropriation (\$1.6 million) for FY 2005 – 2006 to assist in the purchase and preservation of Waimea Valley.

UNFINISHED BUSINESS:

Pupukea Preservation Ridge Update – David Druz, of A Charitable Foundation (ACF), gave an update of the Pupukea Ridge Preservation Project. The trail system has been improved and is now open to hikers (after an orientation hike) and horseback riders of the North Shore Trail Association. An Environmental Assessment has been completed for the State Land Use Commission (SLUC), which was accepted showing no significant impacts. The SLUC voted to accept the proposed land use amendment, which relocates the agricultural-conservation boundary and shifts approximately 23.5 acres from agricultural land to conservation, subject to certain conditions. The next step before making the State Park donation, ACF has to come up with an agricultural plan, apply to the DPP for rezoning, place conservation easements and / or restrictions on the deed on the 79-acre lot and build a turn around at the end of Maulukua Road and donate it to the City. AFC welcomes any community input on potential agricultural plans consistent with ACF's Mission Statement.

In response to Leinau's inquiry about the 220 acre single parcel of agricultural land owned by a company called Preservation Partners, LLC, the DLNR has told Druz that they had preliminary discussions with them to provide land bridge connecting the heiau, but will want something in return which has not yet been named.

NEW BUSINESS:

Verizon Antenna – Chair Pahinui requested that Les Young get a copy of January's minutes to review and address the concerns of the Pupukea residents at that meeting; Young acknowledged. Les Young is representing Verizon Wireless on their plans to make some minor modifications to an existing antenna facility, located above Sunset Beach and referred to as the Intelsat / Comsat Facility. It was approved in 1995 and has been in operation since; however, a Hawaii Supreme Court ruling in 1999 went into effect that did not grandfather in these previously approved permits and now require that a Special Use Permit be obtained when changes are requested. Verizon would like to add a third omni directional antenna atop the existing 60-foot pole, and increase the equipment shelter size, which would remain within the existing compound area.

Questions, comments and concerns followed:

1. In response to Antonio regarding paging capabilities, Young indicated that this facility accommodates the paging feature equipped with cell phones, and not the older type of the pager only systems.
2. Leinau asked whether the upgrade would provide better service especially in hard to access areas. Young said that the power for each antenna is fairly stable or set; and what Verizon is doing is adding a third omni-directional antenna, which would increase the coverage service in that area. Currently, there are several cell companies with proposals for additional cells sites to fill in some gaps along the North Shore route.
3. In response to Gosset's concern relating to coverage distance, Young said depending on the terrain, trees, building and other topographical features, on average the range of each antenna is five to seven miles, however, with the trees, mountains, etc. it can vary.

SCR 131 – Turtle Bay Expansion – Chair Pahinui announced that the Senate Concurrent Resolution number (SCR 131) was incorrect and actually deals with Maunakea on the Big Island, therefore in accordance with the Sunshine Law, discussion relating to the TB resolution will not be addressed tonight. Chair Pahinui noted, according to Dowd, that TBR is willing to do a presentation to the North Shore Neighborhood Board but is only

considering at this time the scheduled April 25 Board meeting. The Board might want to consider a special meeting to address this issue because of its importance to the community and opened the floor to discussion on this subject.

1. McElheny wanted to ask a procedural question regarding HCR 146, which was handed out by the State representative and a request to add this to tonight's agenda. Chair Pahinui felt that a number of interested participants are not present tonight (five Board members were missing), and in terms of compelling community interest and with staying in line with the Sunshine Law, it be best not to add this item to the agenda at this time. McElheny heard that DPP would be making a decision fairly soon.
2. Dowd said a timeline, not reflected in the previous month's minutes was, that TBR would need to go to their governing board first which is the Kahuku Community Association, followed by the Koolauloa Neighborhood Board. He also gave an example regarding another development, which the presenters were chastised for not following protocol and the process, therefore he said they cannot present to Sunset Beach or the North Shore Board before Koolauloa or they would be very upset. He also gave his explanation to Doug Cole (SBCA) several times that there is no other reason and the developer is not trying to ignore the request. He could not speak regarding a special meeting however, TBR is prepared to make a presentation at the regular meeting next month. Also mentioned was the lack of knowledge whether they should go to Sunset Beach or here first, but his inclination would say to put this out in front of the community for input. TBR has been to only one meeting, but there have been a lot of community meetings they've not been invited to attend.

Chair Pahinui said a note was sent to Chair DeeDee Letts of Koolauloa, informing her of the North Shore's intention. This community is very sensitive to the issue of community protocol, but this Board has a right to comment on any development issues, according to the Revised Neighborhood Plan; and because of the impact this development will have on the North Shore, this community has a strong interest in this project. As a courtesy, notification was given to Letts and at that time Koolauloa's meeting was still scheduled for March 22; and after the North Shore agenda was done, it was too late to change it. Although, the topic can be addressed on the regular agenda, Pahinui wanted to make clear that she was not sure that would satisfy the community and or give TBR enough time. Dowd offered to facilitate a meeting for a sooner date.

3. Leinau suggested approaching Doug Cole, President of SBCA and giving them the first chance to respond; especially if a critical date comes to pass.
4. McElheny asked if Dowd if he knew of a specific deadline the end of April regarding the decision process by DPP? Dowd said he didn't think there was a specific deadline; and again the application was pretty specific in terms of what the resort is proceeding forward with. He also commented that he is probably not the right guy to comment. McElheny asked Dowd when the application was submitted; he felt it is a key piece of information relative to comment deadlines. Pahinui asked Matsuura for any information.
5. Chair Pahinui would like to go ahead and schedule the date, being sensitive to Koolauloa, since their meeting is on April 13. A doable date for a special meeting is April 17; Dowd would have to check with TBR representatives. McElheny had strong concerns for the people this Board represents. He felt there is a lot of information, but would hope with an issue such as this that the landowner would start to make a presence at this Board, whether the issue is on the agenda or not; he commended Castle & Cooke for their representation on a regular basis.
6. Leinau, in reference to the comment by Dowd, suggested correcting the February minutes to keep the record clear. Pahinui recommended putting into an email to be reviewed by the Vice Chair Meade who presided over that meeting, then under proper protocol, entering it into the minutes at the April meeting.
7. Dowd said it was not certain if the developer is on / off island the week of April 17 and that they have a very busy schedule. He suggested and in his opinion that it doesn't make a lot of sense to schedule another meeting since they've already agreed to make a presentation at the next scheduled Board meeting. Chair Pahinui said no one checked with this Board whether that would be okay and that the Board has other requests as well. Pahinui reemphasized that there are two dates, April 17, which she

would strongly suggest and would need to know as quickly as possible; if not then she would work with the Board members for accommodating an April 18 meeting.

8. Ng stated this is not just a Koolauloa issue and not just a Kahuku issue; but rather a total North Shore issue. He also would be reluctant to do anything without the developers present; and would encourage hearing both sides of the story. In response to McElheny, Ng totally sympathizes, but felt the need to hear both sides. McAllen agreed with Ng and would request that if there's an April 30 deadline from DPP that they consider delaying any decision until such time TBR is able to make an adequate presentation. Chair Pahinui asked Matsuura to go back and find out if there are any timelines with DPP.

Gosset clarified isn't the next Board meeting on the 25th; Chair Pahinui concurred and suggested that the Board would be opened to meet any day the week of April 17.

Other comments included: 1) Dubiel was thinking about confirming a date prior to the publishing of the North Shore News. 2) Nancy John commented seeing it in the newspaper and agreed with McElheny that this going to impact all of North Shore. Her feeling is that the community is being rushed, she's not able to find any information regarding any environmental impacts, and that's something to be afraid of. The project is so huge that this is something that is going to take time to digest. 3) Pahinui wanted to respond to an earlier inquiry by Leinau that he was right that the Board cannot interfere in private property rights, however the City Council, Senate and House put through resolutions and a letter from the Environmental Council; all government entities, the Board can comment on those actions.

Letter of support for Resolution SCR 9 – Ng moved, O'Sullivan seconded to send a letter in support of Senate Concurrent Resolution 9 - relating to cultural perpetuation in rural areas. The motion carried by unanimous consent, 10-0-0.

Letter of support regarding Ke Ala Pupukea Bike Path – Leinau moved, Awai seconded to send a letter to the Mayor strongly urging the City & County to take full responsibility for the maintenance; to make sure that it's safe, liabilities are minimal, always looks nice and to assist the North Shore Outdoor Circle to the extent possible regarding the Ke Ala Pupukea bike path. The motion carried by unanimous consent, 10-0-0.

Letter to Director Rodney Haraga regarding the Traffic Signal – McElheny moved, Leinau seconded to send a letter to Director Haraga recommending that Kamehameha Highway never be expanded to four lanes along the North Shore portion, and remain a scenic and coastal two-lane highway. Discussion followed: 1) Lunasco supports the motion with strong concerns and reservations. **The motion failed, 7-0-3, due to the lack of eight votes required to pass the motion, Aye:** O'Sullivan, Pahinui, Antonio, Ng, Awai, Leinau, McElheny. **Abstained:** Lunasco, Hirota, Lyons. McElheny asked for an explanation regarding the rationale behind the recommendations, perhaps some of the concerns Board members are having could be addressed. Lyons said he was at the meeting and he also abstained then because it is unclear where development is going to go and a number of issues to consider; and this four lane highway (if it happens) will be along the shoreline and before approving any motion, he would like more information.

PRESENTATIONS: None.

CORRESPONDENCE AND CHAIR'S REPORT: A listing of the Board's correspondence was available at the sign-in table. As always, anyone requesting a copy of any of the correspondence should contact Neighborhood Assistant Richardson at 527-5788.

ANNOUNCEMENTS:

The next Board meeting will be held on Tuesday, April 25, 2006, 7:00 p.m. at the John Kalili Surf Center.

ADJOURNMENT: The meeting adjourned at 9:30 p.m.

Submitted by,

Marie Richardson, Neighborhood Assistant